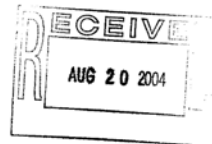


Comment Letter O021**O021****Tulare Kings Hispanic**
Chamber of Commerce

August 17, 2004

Joseph E. Petrillo, Chairperson
California High-Speed Rail Authority
925 "L" Street Suite 1425
Sacramento, Ca 95814

RE: Support of UPRR option



Dear Mr. Petrillo:

The Tulare Kings Hispanic Chamber of Commerce Board of Directors strongly supports a High-Speed Rail System for California. We support the UPRR option, which would run through Visalia, Tulare and Delano with a potential site stop in Visalia.

Visalia has the highest population between Fresno and Bakersfield. A stop in Visalia would increase the ridership based on its Central Valley location. In addition a maintenance facility here in Visalia would provide jobs to a County with a high unemployment rate. It would definitely be a "win-win" situation for the High Speed Rail System and residents of the San Joaquin Valley.

O021-1

Warmest regards,

Gil Jaramillo, Executive Director
Tulare Kings Hispanic Chamber

Old Bakery Plaza 711 N. Court St., Suite C • Visalia, CA 93291 • (559) 734-6020 • FAX (559) 734-6021



**Response to Comments of Gil Jaramillo, Executive Director, Tulare Kings Hispanic Chamber of Commerce, August 17, 2004
(Letter 0021)**

0021-1

Please see standard response 6.15.4 and standard response 6.21.1.

Comment Letter O022

O022

David Magney Environmental ConsultingP.O. Box 1346, Ojai, California 93024-1346 * E-mail: dmagney@aol.com
805/646-6045 Voice * 805/646-6975 FAX

19 August 2004

Mr. Joe Petrillo, Chair
California High Speed Rail Authority
925 L St., Suite 1425
Sacramento, CA 95814**Subject:** comments on the California High Speed Rail Draft Program EIR/EIS

Dear Mr. Petrillo:

I wish to take this opportunity to presents a few comments on the California High Speed Rail Draft Program EIR/EIS.

I believe the DEIR/S for this program is flawed, in part, because it omits the possibility of an Altamont Pass alignment as an alternative to tunneling through the more mountainous Mount Hamilton and Pacheco Pass areas to connect the Central Valley to the Bay Area. The Altamont Pass alignment was the recommended preferred alignment of the Intercity High Speed Rail Commission, the predecessor to the California High Speed Rail Authority (HSRA), and should have been considered at least as an alternative.

An Altamont Pass alignment would follow the existing I-580/I-680 corridor, with the following potential benefits:

- Faster Los Angeles-San Francisco travel times;
- No impact on Henry Coe State Park (the second largest state park in California) including the pristine Orestimba Wilderness;
- Less overall growth inducement in wilderness and undeveloped areas;
- Less impact on wetlands;
- Service to over 1 million East Bay and northern Central Valley residents in Phase I of the project;
- Traffic congestion relief on I-80 and I-580/I-680;
- Much faster travel times between the Bay Area and Sacramento; and
- Cost savings of up to \$2 billion, according to documents in the DEIR/S record.

O022-1

This Program DEIR/S should not be used to decide which alignment to use. Rather, a new EIR/S should fully explore an Altamont Pass alignment, providing a complete and careful comparison to other alignment options for public comment.

I travel between the Los Angeles region and Sacramento and the Bay Area on a regular basis and look forward to the day I can use high speed rail rather than driving my Hybrid vehicle or flying. Thank you for your consideration of these comments.

Sincerely,

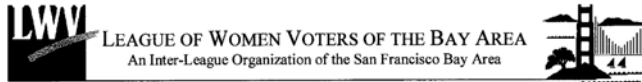
David L. Magney
President

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**Response to Comments of David L. Magney, President, David Magney Environmental Consulting, August 19, 2004
(Letter 0022)**

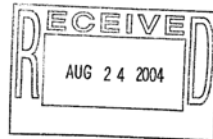
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Please see standard response 2.18.1.

Comment Letter O023**O023**

August 21, 2004

California High-Speed Rail Authority
Draft Program EIR/EIS Comments
925 L Street, Suite 1425
Sacramento, CA 95814



Dear Authority Members:

The League of Women Voters of the Bay Area has a long history of support for transportation systems that are efficient, convenient, cost-effective, inter-connected, planned in concert with land use, and offer viable alternatives to reduce vehicle miles traveled. We support decisions related to transportation systems that are guided by criteria including environmental effects on air and water quality and on agriculture and natural resources.

As we review the Draft Environmental Impact Report (DEIR) for the California High-Speed Rail project, the League is concerned that the report does not adequately address all of the potential routes that could serve the San Francisco Bay Area. The option of a route that would go through the Altamont Pass appears to have been given very little attention and the analyses of other alternative routes in the region are not as complete and thorough as should be expected.

Although the California High-Speed Rail is a statewide project and final decisions on routes and stations will be made at the state level, the League of Women Voters of the Bay Area believes it is critical to have a more thorough analysis of all alternatives and their impacts, including the Altamont Pass route, before any sound decision can be made.

Thank you for the opportunity to comment on this DEIR and for your attention to our concerns.

Sincerely,

Linda Craig
Linda Craig
President

Irene Sampson
Irene Sampson
Transportation Director

1611 Telegraph Avenue, Suite 300, Oakland, CA 94612
www.lwvba-ca.org

O023-1

**Response to Comments of Linda Craig, Irene Sampson, League of Women Voters of the Bay Area, August 21, 2004
(Letter 0023)**

0023-1

Please see standard response 2.18.1.

Comment Letter O024

O024

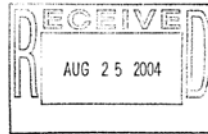
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File No. 99054

August 24, 2004

VIA OVERNIGHT EXPRESS

Attn: California High-Speed Train
Draft Program EIR/EIS Comments
925 L Street, Suite 1425
Sacramento, CA 95814

**Re: Comments on the High-Speed Rail Draft EIR/EIS**

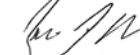
Dear Sir or Madam:

Accompanying this letter are the comments of Boalt Hall School of Law students on the Draft Program Environmental Impact Statement/Environmental Impact Report issued by the High Speed Rail Authority.

Thank you for your attention. Please call if you have any questions.

Very truly yours,

University of California
Boalt Hall School of Law



Robert D. Infelise
Adjunct Lecturer

RDI/mlh
Enclosure

99054/S0770v1

COMMENTS

ON THE
HIGH-SPEED RAIL DRAFT EIR/EIS

University of California Berkeley, Boalt Hall School of Law

| | |
|---------------------------------|-----------------------------|
| Craig Juckniess, JD, LLM | Jacey Glassman, JD |
| Laura Atelieri, JD | Jesse Ratcliffe, JD |
| Catrina Fobian, JD | Melanie Griswold, JD |
| Reda Dennis-Parks, JD | Sky Stanfield, JD |
| Mylene Evered, JD | Maria Click, JD |
| Hsiao (Mark) Mao, JD | |

[Introduction by Robert D. Infelise]

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Comment Letter 0024 Continued

TABLE OF CONTENTS

| | |
|---|----|
| INTRODUCTION | 4 |
| I. REQUIREMENTS UNDER CEQA, NEPA & OTHER CONSIDERATIONS | 7 |
| A. ENVIRONMENTAL IMPACT REPORTS AND STATEMENTS | 7 |
| B. ALTERNATIVES | 8 |
| C. THE ROLE OF A PROGRAM LEVEL ENVIRONMENTAL REVIEW AND THE DANGERS OF OVER-GENERALITY .. | 10 |
| D. PROJECT VIABILITY-COSTS | 11 |
| II. COMMENTS..... | 12 |
| A. THE NEED FOR INTEGRATIVE STATE-WIDE TRANSPORTATION PLANNING..... | 12 |
| 1. Connectivity With Other Transportation Systems | 14 |
| 2. Impact on Station Area Traffic Flow..... | 16 |
| 3. The EIS/EIR Creates the Faulty Impression That HSR Will Improve Intra-City Travel, as well as Inter-City Travel | 18 |
| 4. Urban Planning & Development..... | 20 |
| B. COSTS & FINANCING | 22 |
| 1. Large Public Works Are Consistently Oversold..... | 22 |
| 2. Comprehensive Cost Analysis: The External Social Costs of HSR | 26 |
| 3. Revenue Projections and Private Sector Participation in Project Financing Are Unrealistic..... | 27 |
| C. RIDERSHIP | 30 |
| 1. The Draft EIS/EIR Makes Substantial Assumptions About Ridership..... | 30 |
| a. Time Considerations..... | 31 |
| i. Travel Time | 31 |
| ii. Access Time | 32 |
| iii. The Effects of Changing Alignments and Adding Stops..... | 34 |
| iv. Connectivity With Other Transportation Networks | 34 |
| a. Reliability..... | 35 |
| i. Weather, Construction and Other Factors Affecting Travel Time..... | 35 |
| ii. Lack of Redundancy & Potential Congestion On Shared Alignments | 36 |
| iii. The Impact Of Using New Technology..... | 38 |
| b. Safety of HSR Versus Air | 39 |
| c. Travel Cost Considerations of HSR versus Vehicles | 39 |
| d. The Interaction of HSR & Other Transportation Systems | 42 |
| e. The Impact of HSR Station Options..... | 43 |
| f. Convenience and Other Considerations of HSR Versus Vehicles..... | 44 |
| 2. Ridership Levels and Profitability..... | 46 |
| 3. Impact of Cost Overruns and Low Ridership..... | 47 |
| D. ALTERNATIVES | 49 |
| 1. Deficiencies In The "No Build Alternative" And The Need To Consider Other Less Environmentally Destructive Alternatives | 49 |
| 2. The Altamont Pass..... | 51 |
| 3. Reasonable Alternatives to the Modal Alternative's Proposed Method of Increasing Aircraft Capacity to Meet Projected Intercity Air Travel Demands..... | 55 |
| 4. Alternatives to Road Construction as a Solution to Inter-City Travel Capacity Problems | 60 |
| E. LAND USE AND PLANNING | 61 |
| 1. The Impact Of Mitigation Needs For HSR On HSR | 61 |
| 2. The Environmental Impact Of Potential Design Needs | 64 |
| 3. The Impacts Of Supporting Infrastructure | 65 |
| 4. The Growth-Inducing Effects Of The HSR | 66 |
| F. IMPACTS ON WILDLIFE, BIOLOGICAL RESOURCES AND WETLANDS..... | 68 |
| G. SOCIOLOGICAL EFFECTS | 73 |
| 1. Effects on Cultural and Historical Resources | 73 |
| 2. Effects on Minority and Low-Income Populations..... | 74 |

| | |
|---|----|
| H. NOISE IMPACTS: SECTION 3.4 | 76 |
| 1. Construction | 76 |
| 2. Compliance with State and Federal Noise Regulation | 77 |
| 3. Compatibility with City General Plans..... | 78 |
| 4. Noise Inside The Train..... | 79 |
| 5. Cumulative Impacts | 80 |
| 6. Elevation..... | 80 |
| 7. Mitigation | 81 |
| CONCLUSION | 81 |

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Comment Letter 0024 Continued**INTRODUCTION**

Taught each spring semester at Boalt Hall School of Law at the University of California at Berkeley, the Workshop on Development and the Environment is designed to accomplish two imperatives: (i) to provide the students with a real-world experience at the intersection of real estate development and environmental/land use law; and (ii) to create an opportunity for students to play a meaningful role assessing the inevitable trade-offs inherent in many real estate development projects. The methodology for the course is to focus on a single project or development and to study the applicable law in the context of that project. Other than one LLM candidate, the students were all candidates for a Juris Doctor degree in their second or final year of law school.

The 2004 Workshop focused on the proposal to build an infrastructure network capable of supporting high speed passenger trains traveling as far south as San Diego and as far north as San Francisco and Oakland. If completed, the project would be the costliest public works project ever undertaken in California.

The students began the semester by undertaking an intense analysis of the Draft Program Environmental Impact Statement/Environmental Impact Report (the "Draft") issued by the High Speed Rail Authority. The students also had the opportunity to hear from a series of guest speakers representing a spectrum of views regarding the proposal. The speakers included Joseph Petrillo, Esq., the Chair of the High Speed Rail Authority; Peter Gertler, AICP, of the engineering firm of Parsons Brinkerhoff, the deputy manager of the project; Professor Adib Kanafani of the Institute of Transportation Studies at the University of California at Berkeley; and Patrick Moore of the Sierra Club. Finally, the students undertook a comprehensive literature search before preparing these comments.

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Although the high speed rail proposal was a perfect fit for a class devoted to the study of the law surrounding major real estate developments, at the outset it was difficult to envision much controversy. Simply stated, it is hard to imagine much opposition to a plan to bring high speed rail to California. Similar systems are reputedly quite popular in Europe and Asia and parts of California are so congested with automobile traffic that any transportation mode that might relieve some of that congestion sounds like a good idea. Whereas the focus of the 2003 workshop—the since-aborted plan to expand the runways at San Francisco International Airport—was more obviously controversial, there are few constituencies that would predictably oppose a mass transit system.

The absence of a discernible and vocal opposition to the project turned out to be an advantage in that it forced the students to more fully rely on their own research and analytical skills to parse through the Draft. The semester started with virtually all of the students—and their professor—firmly supporting the project. Over time, however, the students began to question the assumptions on which the project is based and whether the project is being oversold to the public. They also uncovered some basic flaws in the Draft.

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By the end of the semester, the prevailing view of the class was supportive but with serious reservations about the efficacy of the project. A subset of the students believed that the High Speed Rail Authority has not yet made a case for a successful mass transit system.

One of the more illuminating exercises this semester was participating in the public comment process. On April 15, 2004, the students joined San Francisco Mayor Gavin Newsom, former San Francisco Mayor and Speaker of the California Assembly Willie and representatives of a number of prominent Bay Area legislators to provide input to members of the board of directors of the High Speed Rail Authority. The contrast between the Workshop students and

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Comment Letter 0024 Continued

others offering comments in terms of depth of understanding of the project and analysis was staggering. Without exception, every speaker who was not enrolled in the Workshop offered nothing but praise for the Authority and the project. Until the students spoke, generalities and platitudes were the order of the day. By any objective measure, it was clear that few had done anything more than glance at the Draft. The Authority board members were obligated to do nothing more than graciously accept the accolades.

The students' comments—which summarized the analysis that follows—told a different story. They described their careful analysis, drawing heavily from the Draft itself, and for the first time that day the board members were confronted with the substantial questions raised by the project.

Both the focus of the 2003 airport runway proposal and this year's high speed rail project have much in common. Both involve transportation and assume a growing need for the capacity to move people around California's major metropolitan areas. Another striking similarity is that both proposals were and are being considered without fully taking into account the other. It is a troubling aspect of public policy that, in California at least, there is no one agency charged with the task of truly comprehensive integrated transportation planning. For example, connectivity—that is, the extent to which the high speed rail is linked to other transportation mode—is a major issue with the project. To date, the project sponsor is relying on localities and regional transportation authorities to build what is necessary to take full advantage of the rail system. California deserves better. Rail systems should be integrated with airports and local bus and light rail systems. Every mode of transportation should reflect critical choices about where and how the population will grow, and should entice Californians out of their cars. A comprehensive approach offers the best hope for cost efficient solutions to California's transportation needs.

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I. REQUIREMENTS UNDER CEQA, NEPA & OTHER CONSIDERATIONS

A. Environmental Impact Reports and Statements

Both the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) require that the environmental review conducted for the High Speed Rail contain a rigorous exploration of the environmental impacts of the proposed project and its alternatives.¹ CEQA states that the "purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided."² Similarly, under NEPA, agencies are obligated to take a "hard look" at the environmental impacts of a proposal. As such, the Authority must "promote efforts which will prevent or eliminate damage to the environment."³ In order to satisfy NEPA requirements, the agency in charge is required to prepare a detailed statement which examines "(i) the environmental impact of the proposed action, [and] (ii) any adverse environmental effects which cannot be avoided should the proposal be implemented..."⁴ If the EIS prepared does not sufficiently analyze the impacts of the HSR and the agency approves the EIS anyhow, it risks having its action found to be arbitrary, capricious and an abuse of discretion.⁵

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A broad range of environmental impacts must be analyzed under these statutes, from environmental effects of the project on humans to its effects on plants and wildlife.⁶ Social and

¹ See 40 CFR §§1502.16, 1502.14(a); CAL. CODE REGS. Tit. 14, § 15121(a).

² CA. PUB. RES. § 21002.1(a).

³ 42 U.S.C. § 4321.

⁴ 42 U.S.C. § 4332.

⁵ See *Kleppe v. Sierra Club*, 427 U.S. 390, 410 .21, 421(1976).

⁶ See, e.g., CAL. CODE REGS. Tit. 14, § 15126.2(a); 42 USC § 4321 (2003) (the purpose of NEPA is to "enrich the understanding of the ecological systems and natural resources important to the Nation.").

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Comment Letter 0024 Continued

economic effects should also be included if those changes result in significant environmental effects, this is especially true in the case of changes in land use and urban planning that may result from a project.⁷ The assessment of the impacts must be accurate, non-selective, and have a supportable factual and scientific foundation. Under CEQA, the decision to certify an EIR and undertake a proposed project must be supported by substantial evidence in the record.⁸ Under CEQA, before approval of the Final EIR the Authority is required to demonstrate that any significant environmental effects have been eliminated or substantially lessened and that those remaining are unavoidable, otherwise a statement of overriding considerations must be adopted.⁹

B. Alternatives

The alternatives analysis is the heart of the environmental impact assessment document.¹⁰ The CEQA Guidelines require that an EIR discuss a "reasonable" range of alternatives to the proposed project, a number that depends on the circumstances. While the lead agency has

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⁷ See 40 CFR §1508.14 (discussing how economic and social effects must be discussed in the EIS if they are interrelated to the physical environmental impacts of a project covered by NEPA); CAL. CODE REGS. Tit. 14, § 15131; see also *City of Pasadena v. State of California*, 14 Cal. App. 4th 810, 826-27 (1993) (stating that under CEQA, where economic and social impacts are related to physical changes as a result of a covered project, such impacts must be discussed in the EIR); *Citizens Association for Sensible Development of Bishop Area v. Inyo* 172 Cal. App. 3d 151 (1985) ("economic or social change may be used to determine that a physical change shall be regarded as a significant effect of the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment.").

⁸ See CAL. PUB. RES. Code §21168.5; CAL. CODE REGS. Tit. 14, §15091(b) (2004); Cal. Code. Civ. Pro. §1094.5; see also *County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185, 187 (1977).

⁹ CAL. CODE REGS. Tit. 14, §15092(b).

¹⁰ See 40 CFR §1502.14

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discretion to determine how many alternatives constitute a reasonable range¹¹, a final EIR must include a written response to comments made to the Draft that raise significant environmental issues.¹² The lead agency should ordinarily respond to comments suggesting a new alternative that can substantially reduce significant project impacts by either explaining why further consideration of the alternative was rejected, or providing an evaluation of the alternative.¹³

In considering whether to evaluate or reject the suggested alternative, the lead agency must follow several rules. A proposed alternative that is superior in some or most aspects is still subject to evaluation, so long as the alternative implements the most basic project objectives. This evaluation is required even if the alternative is would not be superior as a whole.¹⁴ Alternatives, however, that are incompatible with fundamental project objectives, or that would change the basic nature of the project, may be properly rejected.

Additionally, suggested alternatives must be feasible. Feasibility means that the alternative must be capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors. Therefore, alternatives that are remote or speculative are not considered reasonable or feasible.

Infeasible alternatives need not be evaluated in the final EIR; however, if an alternative is found to be infeasible by the lead agency, the agency must provide an explanation for the infeasibility. For example, a determination that a particular alternative is not economically

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¹¹ See *Marin Mun. Water District v. KG Land Cal. Corp.*, 235 Cal. App. 3d 1652 (1991) (upholding EIR moratorium on new water service connections that considered single alternatives of mandatory conservation and rejected other alternatives suggested by the comments).

¹² See 14 CCR §15088.

¹³ See *Marin Mun. Water District, supra*, 235 Cal. App. 3d at 1666 (final EIR properly rejected alternatives suggested because they could not satisfy project goals, did not offer substantial environmental advantages, or were infeasible given economic, environmental or technological factors involved).

¹⁴ See 14 CCR §15126.6(c)

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Comment Letter 0024 Continued

feasible must be supported by evidence and analysis showing that it cannot be reasonably implemented due to economic constraint.

NEPA similarly requires that an EIS contain an evaluation of alternatives to the proposed project. NEPA requires an EIS to devote "substantial treatment" to each considered alternative, in order to allow comparison to the proposed action.¹⁵ NEPA, like CEQA, also requires consideration of a "reasonable range" of alternatives.¹⁶

C. *The Role of a Program Level Environmental Review and the Dangers of Over-Generality*

The purpose and need as established in the Draft begins by highlighting that this document is to be followed by later project-specific documents, and adds that creating a "tiered" EIR offers a variety of benefits, including: "[c]onsideration of cumulative impact that might be slighted in a case-by-case analysis" and "[a]n opportunity for decision-makers to consider broad policy alternatives and program-level mitigation strategies at an early stage, when flexibility to incorporate them is greater."¹⁷

In this case it appears that the Program EIR is being approached as a cursory overview of the project to be followed by project level EIRs, without really taking the time and care to prepare an EIR that utilizes the benefits of preparing a "big picture look." Generally, a program EIR is an optional exercise when "a series of actions ... can be characterized as one large project and are related."¹⁸ In this case, however, the HSR is a single massive project and as such the program EIR is not an entirely optional environmental review. As §15165 states: "Where

¹⁵ 14 CCR §1502.14

¹⁶ See *State of California v. Block*, 690 F.2d 753 (9th Cir. 1982)

¹⁷ See Draft §1-2 (from Cal. Code of Regs. Tit. 14 § 15168)

¹⁸ Cal. Code of Regs. Tit. 14 §15168; see also *Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners*, 18 Cal.App.4th 729 (1993).

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individual projects are, or a phased project is, to be undertaken and where the total undertaking comprises a project with significant environmental effect, the Lead Agency shall prepare a single program EIR for the ultimate project."¹⁹

Since this is classified as a program level EIR, it does not relieve the Authority of the duty to examine mitigation measures or the true cumulative impacts of the project.²⁰ All the impacts that can be reasonably predicted at this time should be addressed. Possible mitigations for these impacts should be proposed that are sufficiently detailed to be further investigated in the project level EIRs. "A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible."²¹ It is inefficient and a waste of resources if the program EIR does not provide a sufficiently detailed look at the project so as to enable the state's citizens (i.e. the project's funders) to understand its likely impacts before voting to allow it to go forward.

D. *Project Viability—Costs*

Cost issues, such as those addressed under Section III of these comments generally fall outside of the scope of what is required by CEQA and NEPA requirements, yet there are strong reasons why the Authority should provide a response to these comments. The Authority should consider issues such as cost overruns, misplaced reliance on a profit generating modal, private sector involvements, and unsophisticated and incomplete sensitivity analyses. The authority should do so in the interest of full public disclosure and a well-informed analysis of the project, per its mandate.²² The history of large public works projects demonstrates that it is extremely

¹⁹ Cal. Code of Regs. Tit. 14 § 15165.

²⁰ *Id.* §15168(b)(4) and (d)(2).

²¹ *Id.* §15168(c)(5).

²² See CAL. PUB. UTIL. CODE §185034(9) (2004)

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O024-4

Comment Letter 0024 Continued

difficult to accurately estimate the costs of large, publicly financed, transportation projects.²³ Given that virtually every major public works project in the United States and abroad has experienced substantial cost overruns and significantly fewer benefits than projected, it is extremely likely that the HSR will encounter similar difficulties.²⁴

The following document attempts to address specific concerns. While each section addresses a separate area of concern, occasionally there is overlap between the sections when issues need to be raised in different contexts. The above discussion of the CEQA and NEPA requirements should inform the rest of the document and many sections will further reference the requirements of these statutes in their analyses.

II. COMMENTS

A. The Need for Integrative State-Wide Transportation Planning

The California High Speed Rail Act provides that it is the responsibility of the authority to direct the development of a High Speed Rail service that is:

[F]ully integrated with the state's existing intercity rail and bus network, consisting of interlinked conventional and high-speed rail lines and associated feeder buses. The intercity network in turn shall be *fully coordinated and connected* with commuter rail lines and urban rail transit lines developed by local agencies, as well as other transit services, through the use of common station facilities whenever possible.²⁵

The general provisions of the act recognize that for an intercity high speed train system to be an "efficient, practical, and less polluting transportation mode" it must be "coordinated with urban transit and airports."²⁶

²³ See BENT FLYVBERG, MEGAPROJECTS AND RISK: AN ANATOMY OF AMBITION Ch. 2 (2003).

²⁴ See *Id.*

²⁵ Cal. Pub. Util. Code § 185030 (2004) (emphasis added).

²⁶ *Id.* § 185010(e) (2004).

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cont.

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Recognition of the importance of coordination with effective local transit systems is reiterated in the purpose and need section of the Draft. Section 1.2.1 states that "[a] further objective is to provide an interface with commercial airports, mass transit and the highway network and relieve capacity constraints of the existing transportation system as increases in intercity travel demand in California occur, in a manner sensitive to and protective of California's unique natural resources."²⁷ As indicated in the Draft, Federal Acts, "specifically...encourage investments that offer benefits such as those listed below."²⁸

- Link all major forms of transportation.
- Improve public transportation systems and services.
- Provide better access to seaports and airports.
- Enhance efficient operation of transportation facilities and service.²⁹

Each one of these issues is geared towards an integrated improvement of existing transportation systems, as opposed to a narrow approach which would utilize an entirely unprecedented system merely to solve only one of California's transportation issues. In recognition of its mandate, the Authority appears to adopt an objective to "[m]aximize intermodal transportation opportunities by locating stations to connect with local transit, airports, and highways."

Allegedly, this section provides a foundation for understanding the importance of making the HSR a part of a greater improved transportation system for the state of California, by integrating it with other modes of travel to avoid contributing to ever-increasing congestion. It appears, however, that the Draft does not adequately incorporate the Authority's previously stated goals into their discussion of what the impacts will be and how those impacts will be mitigated. The section does not sufficiently discuss the obstacles that will need to be overcome

²⁷ See Draft §1-3.

²⁸ See *Id.* §1.1

²⁹ *Id.*

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cont.

Comment Letter 0024 Continued

in order to fully integrate the HSR with the local transit systems. It does not even address whether or not those systems will be able to adequately support the projected HSR ridership. Where it identifies specific impacts, the section does not provide even the most general plan for how the Authority plans to mitigate those impacts. The fact that the federal law that the proposed project is based upon is oriented towards an integrated solution for a state's transportation issues makes it reasonable for the HSR Draft to broaden the scope of its inquiry in order to incorporate an integrated approach to California's transportation needs.

In light of this, the final EIR/EIS should address the following:

- Whether defining the scope of HSR to examine only issues of inter-city transportation is adequate to create a properly functioning and well-used new mode of transportation that meets its mandate under California and federal law.
- If it does not, the final EIR/EIS should look at how intra-city transportation planning and other transportation planning can be integrated into the development of HSR to better achieve its goals.

1. *Connectivity With Other Transportation Systems*

As discussed extensively throughout these comments, the connectivity of the HSR to other transportation systems significantly impacts its attractiveness, and thus ridership. An unconnected system is inconvenient and will not attract the ridership necessary to divert an adequate amount of intercity travel to alleviate the burden on other congested modes of travel or to make the system an economically viable transportation expenditure.

Each of the regions that the Draft analyzes is in a slightly different position with regards to the existing transit services. In many of the cities (principally downtown San Francisco and Los Angeles) the preferred stations are intended to be at the heart of the existing transportation hubs, which seems ideal. However, this is not the case everywhere. The smaller cities that are likely to get stops, like Modesto, Fresno, Bakersfield, Gilroy, Riverside, are those that are

predicted to grow most rapidly, but that currently do not have very developed public transit systems. In light of the current air quality situation in the San Joaquin Valley, it is particularly important that these cities do not develop a car culture that mimics that of LA, etc. The HSR would be a positive move in that direction, but it must make sure that it has a plan to foster public transit connections with its stations.

Currently, in each section of the Comparison of Alternatives, the Authority states that the HSR alternative (as well as the Modal Alternative) are "not expected to have any substantial potential impact on transit services compared to the No Project Alternative." If this is the case, then this is a serious problem with the project because the current transit system certainly would not be sufficient to serve the needs of the HST stations. There is no discussion of what improvements or changes would need to be made so that HSR stations would not impose a great burden on the existing transit system, nor how the Authority plans to enhance the system to serve its own riders. This would not have to involve discussion of which new lines or routes or exact frequencies would be required, but a general look of how the current systems capacity would need to be expanded and what that would entail.

Furthermore, with many urban centers lacking adequate and efficient public transportation, this may not be the appropriate time to consider building a system that would rely heavily on the efficacy of those systems. To facilitate long-distance travel prior to addressing short-distance transportation problems makes little sense. It is akin to building a freeway prior to the roads that lead to it. While the HSR may be a good project in general, it is currently poorly planned—California first needs an efficient local public transportation, then perhaps a high speed rail that connects nearby cities like San Francisco and Sacramento or Los Angeles and San Diego. It is only when these first two become functional, efficient and popular modes of

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Comment Letter 0024 Continued

transportation can the San Francisco to Los Angeles connection be reasonably justified to be a “need”, and not a mere luxury for a limited class of travelers.

With respect to connectivity to other travel systems the final EIR/EIS should address the following:

- How the efficacy and convenience of intra-city transportation systems will impact ridership and the economic viability of the HSR.
- How region-by-region transportation planning may be necessary to develop a properly connected transportation system.
- The section entitled Traffic and Circulation Resources By Region in §3.1-5 should include a discussion of the public transit systems in each region, in addition to the freeways already discussed. For example, in the Bay Area to Merced region BART, AC Transit and MUNI should also be mentioned.
- Rather than lumping “transit” together with goods movement and parking, the Travel and Circulation section should individually discuss the state of the public transit systems currently (the document does not provide a careful look at what exists today, let alone what will exist in 2020) and how these systems operate in connection with the highway systems which are already more thoroughly discussed.
- In the Comparison of Alternatives by Region section, there should be a discussion of the impact that the HST will likely have on public transit systems in each region, both good and bad.

2. Impact on Station Area Traffic Flow

The Draft fails to adequately depict the environmental and sociological impacts of automobile traffic within the vicinity of the HST stations. To meet the time goals the HSR set out it must be able to get passengers as close as possible to their ultimate destinations. The authority acknowledged this when they stated a preference for placing the stations directly in the city centers; however, in order to do this people coming from other parts of the city, or outside the city must be able to get to the station quickly and easily. As such, it is vital that there be efficient public transit serving the stations. Without public transit there will likely be an

increased amount of traffic, the resulting gridlock will not only increase the transit time for train riders, but also for anyone who is unfortunate enough to work or live near the stations. Not only will the level of service around these stations decrease (see page 3.1-15) to an unacceptable level, but there will be a great deal of land use pressure if space is required to build massive parking structures instead of residences or businesses.

The traffic data represented in Appendix 3.1-A forecasts an increase in traffic surrounding the HST stations, but the effects the increase are expected to have was not explored. The increase is only discussed with respect to the associated effects on station usage. Section 5.4.6 predicts the HST alternative will lead to larger and/or denser developments near the stations. The Draft does not go on to analyze how the increase in traffic will effect population and employment in the area. Absent a comprehensive evaluation the authority still claims that the HST alternative “is not projected to create the need for any additional right-of-way for wider highways, new interchanges, additional runways, or other auto or air travel infrastructure.”³⁰

How will the effectiveness of the public transit systems feeding into and out of the HST stations (or alternately the airports) affect the reliability and connectivity? If the HST stations ultimately require more persons to take public transit to the stations due to lack of easy freeway access and parking (e.g., if the San Francisco station is at the Transbay terminal rather than the 4th and King location, or if you compare accessing SFO from US-101) how will this effect the reliability and connectivity of the HST? Currently the Draft predicts there will be no “substantial potential impact on transit services,” to a lay observer this means that the system will be inadequate to serve the needs of all the persons flowing into and out of these stations.

³⁰ Section 5.4.6 pg 5-26

Comment Letter 0024 Continued

Traffic congestion is especially relevant to HST travel times because it relates to access and arrival times. The Authority recognizes the relevance and even mentions in its executive summary that accessible freeways and highways are critical to realize the HST promise.³¹ In addition, like rail congestion, auto traffic impacts the environment and surrounding communities.

Traffic congestion in the station area should be properly addressed. As a result, the final EIS/EIR should address the following:

- What are the cumulative impacts of station usage and induced growth on traffic and public transit systems near every HSR station option?
- How will the increased traffic affect the surrounding communities and businesses?
- How will the increased traffic affect access and arrival times? Difficulty getting to and from the station will make the HSR travel times less competitive. How will the reliability and connectivity of the HSR be affected if the Level of Service around stations is reduced to a level of D or F?

3. *The Draft Creates the Faulty Impression HSR Will Improve both Intra-City Travel and Inter-City Travel*

The Draft creates a misconception regarding the necessary road improvements. The draft indicates that if built, roads will not need to be expanded, however, regardless of the HSR, roads will still need to be built and/or expanded to address increases in traffic. Since the vast majority of freeway traffic in urban centers is local traffic, diversion of inter-city travelers will have little impact on freeway congestion in those areas. Local traffic will remain substantially unchanged,

³¹ Building a High-Speed Train Network—Executive Summary : Section 5.6

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18

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and roads will still need to be expanded to accommodate local travelers. The Draft's proposal to divert long-distance travelers away from the roads to free the roads for short-distance travelers is much less efficient than diverting short-distance travelers away from the road in order to free them up for long-distance trips. If even a fraction of the funds needed to complete the proposed HST were spent on local transportation it would product more significant results.

Furthermore, the HSR will not substantially reduce congestion on freeways through urban centers and as such provides little material benefit for non-inter-city travelers. The cost of the HSR should therefore be justified in terms of the population that benefits, i.e., business travelers, and not the middle-class to lower income residents of urban centers who will see little to no change in the convenience and speed of their daily travels.

It is important to demonstrate that the HST is a significant *addition* to the transportation resources of California, but the Authority should not give the public false expectations regarding the HSR's ability to alleviate general traffic congestion. In the LUP Section, the Authority portrays the HST as a panacea by: 1) failing to mention that relief to highway traffic congestion created by the HSR is for *inter-city* travel, and 2) failing to indicate that improvements to existing highways and airports will be needed in the future regardless of whether the HSR is built.

By juxtaposing the "Modal Alternative" with the HST, the Authority creates the faulty impression that significant improvements to highways and airports will be unnecessary with the addition of the HST. To the contrary, as the Authority itself points out, immense population growth in California is expected in the next four decades.³² Consequently, improvements to those modes of travel discussed in the Modal Alternative will be needed in addition to the HST.

³² See Draft EIR/EIS §1-4.

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19

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